

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

AARON WALLACE (1)

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§
§
§
§

No. 3:12-CR-084-O
ECF

**GOVERNMENT'S MOTION TO DECREASE OFFENSE
LEVEL PURSUANT TO USSG § 3E1.1(b)**

Pursuant to USSG § 3E1.1(b), the government formally moves the Court to decrease the defendant's offense level by one additional level and states as follows:

1. The government agrees that the defendant has clearly demonstrated acceptance of responsibility for his offense pursuant to USSG § 3E1.1(a);
2. The defendant's offense level determined prior to operation of USSG § 3E1.1(a) is level 16 or greater; and
3. The defendant has assisted authorities in the investigation or prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial, and he has agreed to waive his appellate rights (see *United States v. Newson*, 515 F.3d 374 (5th Cir. 2008)).

Therefore, the Government respectfully requests the Court to decrease the defendant's offense level by one additional level. However, the Government reserves the

right to withdraw this motion in the event the defendant engages in conduct inconsistent with his acceptance of responsibility or if he withdraws his waiver of appeal.

Respectfully submitted,

SARAH R. SALDAÑA
UNITED STATES ATTORNEY

s/ *John J. Boyle*
JOHN J. Boyle
Assistant United States Attorney
Texas State Bar 00790002
1100 Commerce Street, 3rd Floor
Dallas, Texas 75242
Telephone: 214.659.8617
Facsimile: 214.659.8809
Email: John.Boyle2@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2012, I electronically filed the foregoing document with the Clerk of Court for the United States District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorney(s) of record who have consented in writing to accept this Notice as service of this document by electronic means: Doug Morris.

s/ *John J. Boyle*
JOHN J. Boyle
Assistant United States Attorney